Did Michigan have its first prison riot in 35 years? Officials can't decide

Prisoners set fires, smashed windows and shattered fixtures at Kinross Correctional Facility on Sept. 10, 2016

By Paul Egan
Detroit Free Press

LANSING — Did Michigan experience its first prison riot in 35 years last September? The state can't seem to make up its mind.

Prisoners set fires, smashed windows and shattered fixtures at Kinross Correctional Facility in the Upper Peninsula on Sept. 10, 2016. Emergency response teams with guns and pepper spray were deployed to storm the housing units and put hundreds of inmates in restraints.

Prison officials have insisted there was no riot, as corrections officers claim, partly because there were no significant injuries and because, they say, they never lost control of the prison near Kincheloe that houses close to 1,300 inmates.

But last month, in refusing former prisoner Odell Branch's request for compensation for his eyeglasses and other personal items that disappeared during the melee, officials told the State Administrative Board: "This prisoner was found guilty of misconduct for his participation in a riot within the prison and was involved in the illegal

action that led to the loss of his items."

Also, the Michigan State Police conducted an investigation that led to criminal charges against six former Kinross inmates. One charge they all faced? Inciting a riot.

So was it a riot? Or wasn't it?

Corrections Department spokesman Chris Gautz said "words matter," and the answer is still no. Whoever filled out the summary paperwork on Branch's compensation claim used the wrong word and may not have been from the Corrections Department, he said.

"I'm just confused by the facts," said Mark Dobias, a Sault Ste. Marie attorney representing one of the defendants. "When the, quote, 'victim' denies it was a riot ... what is it, then?"

About 250 Kinross inmates identified as being involved in the disturbance -- which inmates said was a response to low prison wages, lousy food and other complaints --were moved out of Kinross after the incident that officials say cost the state close to $900,000.

Kinross County Prosecutor Robert Stratton III brought criminal charges against six of the inmates. All charges against one defendant -- and arson charges against several others -- were dismissed after the preliminary hearing.

Those still facing charges -- all of whom, Gautz confirmed, have been held in segregation for more than a year -- are:

* Juston Lakeef Baldwin, 25, charged with inciting a riot and malicious destruction of property -- both 10-year felonies.

* Terry Darcel Brooks, 57, charged with inciting a riot and malicious destruction of property.
* Lee Marvin Hughes, 26, charged with arson, inciting a riot and malicious destruction of property.
* Asheton Semaj Morgan, 27, charged with inciting a riot and malicious destruction of property.
* Coady William Wohadlo, 26, whose case is back in district court after he originally waived his preliminary hearing but now wants to have one. He is charged with arson, malicious destruction of property and inciting a riot.

Jennifer France, chief public defender for Chippewa County, said she believes the authorities charged the wrong prisoners.

For instance, video the prosecution provided of the defendant she represents only shows him placing a piece of paper over the lens of a prison video camera, she said.

“The last I knew, paper didn’t ruin the bubble on the camera.”

Stratton, the prosecutor, said charges were brought against certain inmates based on the available evidence.

The Corrections Department’s concept of a riot is different from what is enshrined in Michigan criminal law, which only requires participation by “three or more individuals,” Stratton said.

Trials are likely early next year, he said.

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